

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD)(SN)
---	-----------------------

This document relates to:

Estate of John P. O'Neill, Sr., et al. v. The Republic of Iraq, et al., 04-cv-1076 (GBD)(SN)

**[PROPOSED] ORDER OF PARTIAL FINAL DEFAULT JUDGMENTS IN THE
ABOVE-CAPTIONED MATTER ON BEHALF OF THE PLAINTIFFS IDENTIFIED
IN EXHIBIT A AND EXHIBIT B**

Upon consideration of the evidence and arguments submitted by Plaintiffs in the above-captioned matter identified in Exhibit A and Exhibit B to this Order, who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of a victim killed in the terrorist attacks on September 11, 2001 as specifically identified in annexed Exhibit A, or the estate of an individual who was killed in the terrorist attacks on September 11, 2001 as specifically identified in annexed Exhibit B, and the judgment by default for liability against the Taliban entered as follows:

CASE NAME	CASE NO.	DATE OF ORDER FOR LIABILITY	ECF NO. FOR ORDER OF LIABILITY
Estate of John P. O'Neill, Sr., et al. v. The Republic of Iraq, et al.	04-cv-1076	October 13, 2015	ECF Nos. 3067, 3163, 3043-1

; together with the entire record in this case; IT IS HEREBY

ORDERED that the Taliban is jointly and severally liable with the Islamic Republic of Iran ("Iran"), and the Plaintiffs identified in Exhibit A and Exhibit B are awarded damages judgments against the Taliban in the same amounts previously awarded by this Court to various

similarly situated plaintiffs in *Burnett, Havlish, Ashton, Bauer, O'Neill*, and other cases against Iran (subject to trebling damages as indicated below); and it is further

ORDERED that solatium damages are awarded to the Plaintiffs identified in Exhibit A in the amounts of \$12,500,000 per spouse, \$8,500,000 per parent, \$8,500,000 per child, and \$4,250,000 per sibling, as set forth in Exhibit A; and it is further

ORDERED that the estate of the 9/11 decedent, through its personal representative and on behalf of all survivors and all legally entitled beneficiaries and family members of such 9/11 decedent, as identified in Exhibit B, is awarded compensatory damages for pain and suffering in the same per estate amount previously awarded by this Court regarding other estates of decedents killed in the September 11th Attacks, as set forth in Exhibit B; and it is further

ORDERED that the Plaintiff identified in the attached Exhibit B is awarded compensatory damages for decedent's pain and suffering in an amount of \$2,000,000, as set forth in the attached Exhibit B; and it is further

ORDERED that the Plaintiff identified in the expert report submitted in support of the Declaration of Jerry S. Goldman, Esq. ("Goldman Declaration") (and identified in Exhibit B), is awarded economic damages as set forth in the attached Exhibit B and as supported by the expert report and analysis tendered in conjunction with the Goldman Declaration; and it is further

ORDERED that Plaintiffs identified in Exhibit A and Exhibit B are awarded treble damages pursuant to the Anti-Terrorism Act, 18 U.S.C. § 2333(a), for solatium, economic, and non-economic damages, in the amounts set forth in the annexed Exhibit A and Exhibit B; and it is further

ORDERED that the treble damages awarded are compensatory in nature and not punitive; and it is further

ORDERED that the Plaintiffs identified in the attached Exhibit A and Exhibit B are awarded prejudgment interest of 4.96 percent per annum, compounded annually, running from September 11, 2001 until the date of judgment for damages; and it is further

ORDERED that the Plaintiffs identified in the attached Exhibit A and Exhibit B may submit an application for punitive damages, economic damages, or other damages (to the extent such awards have not previously been ordered) at a later date consistent with any future rulings made by this Court on this issue; and it is further

ORDERED that the remaining Plaintiffs in the above-captioned matter not appearing in the attached Exhibit A and Exhibit B may submit in later stages applications for damages awards, and to the extent they are for solatium damages or by estates for compensatory damages or for decedents' pain and suffering from the September 11th attacks, they will be approved consistent with those approved herein for the Plaintiffs appearing in the attached Exhibit A and Exhibit B.

ORDERED that this order is not binding on the determination of damages for defendants besides the one against whom default judgment is being sought. *See, e.g.*, ECF No. 2582 at 3.

Furthermore, the Court respectfully directs the Clerk of the Court to terminate the motion at ECF No. 8459.

SO ORDERED:

GEORGE B. DANIELS
United States District Judge

Dated: New York, New York
_____, 202__